

East Longmeadow Planning Board

60 Center Square

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since 1894

Michael Carabetta, chair

Alessandro Meccia, vice chair

Tyde Richards, clerk

Ralph Page

George C. Kingston

robyn d. macdonald, director

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Minutes of July 15, 2014

Present were: Chair, Michael Carabetta; Clerk; Tyde Richards, George Kingston and Ralph Page. Alessandro Meccia was not present.

Special Permit Con-Test, 39 Spruce Street

Mr. Carabetta explained that Con-Test was scheduled for a public hearing and Attorney Larry Levine has submitted a letter on behalf of his clients requesting to withdraw the Special Permit application. Clerk Tyde Richards read the request into the record withdrawing the request for a Special Permit for use of this parcel as a parking lot for an abutting commercial property. The applicant realized that there was not enough time to research properly whether this would be the best use of this parcel.

Request for Waiver of Site Plan – Ede Consulting, 77 Sanford Street

Clerk, Tyde Richards read a Request for Waiver of Site Plan Review from Andrew Ede, Ede Consulting, 77 Sanford Street to have a home office for his computer consulting business. No products are to be kept on site, no clients to go to the site and there are no commercial vehicles on site. All work is performed at outside sites. The owner is the only employee and the proposed hours of operation are as needed.

Upon motion duly made by George Kingston and seconded by Ralph Page, the Board voted (4-0) to approve the Request of Waiver of Site Plan Review for Ede Consulting, 77 Sanford Street conditioned on there being no retail operation at the location, no additional employees and no signage. The office must be in the main house and not occupy any more than 20% of the total floor area of the dwelling, including the basement area. If there are any changes in this business, the applicant must appear before the Planning Board again to discuss those changes.

Revised Parking Plan – Taylor Rental, 200 Shaker Road

Ms. Macdonald said that the Board approved a Waiver of Site Plan Review for Taylor Rental for 200 Shaker Road on 3/23/14. She said that Pierre Chapdelaine of Taylor

Rental has revised the parking lot to meet the requirements and Sargent Rick Bates recommended the following:

1. Removing the existing pavement markings in the South driveway.
2. Applicant install new entrance and exit pavement markings and signs to indicate the proposed "horseshoe" driveway and the new traffic pattern at the site.
3. The parking spaces along the front of the building shall contain two marked "handicapped" spaces with pavement markings and upright signs.
4. Lighting be installed along the front, side and rear of the building to illuminate the parking spaces and doors to the building. Consideration should be given to adjacent residences.

Mr. Carabetta asked the Board if they were okay with everything.

Mr. Kingston said that they are showing that the fence is going to be removed. Ms. Macdonald said yes they are going to allow access to the back area. She said with the parking up front one of Sargent Rick Bates concerns was that people are going to pick up equipment and they are not going to park along the side they are going to want to park up front even if there weren't spaces there. Ms. Macdonald said the horseshoe drive was created which Sargent Rick Bates thought was better for larger vehicles. She said that they have cleaned up the area so the site distance is better and they have taken care of the encroachment into the residential district that was done prior to.

Mr. Page asked if they are proposing a dumpster. Ms. Macdonald said that she is not sure that they need one but will ask. Mr. Page said hearing her say that he doesn't think they have one currently and if they don't have one now they probably aren't going to have one.

Upon motion duly made by Ralph Page and seconded by George Kingston, the Board voted (4-0) to approve the parking plan submitted by Pierre Chapdelaine for the operation of a retail business for the purpose of leasing various items and equipment and storage of materials at 200 Shaker Road conditioned upon the recommendations of Sargent Rick Bates.

Review sign by-law proposal

Ms. Macdonald said if the Board is all in agreement with the changes for the new sign by-law proposal she will schedule a public hearing.

Mr. Page said he wasn't sure if he mentioned his change on the last page under 5.90 the Political, Message and/or Non-Profit Event Lawn Signs sub section D. He said the very last line talks about that signs must be removed within two days of the event he said that it should read two days after the event. Ms. Macdonald okay she will correct that and will schedule the public hearing and asked the Board if they would prefer it closer to town meeting and the Board said yes they would.

Discussion re: appealing Building Inspector's approval of building permit for 167 Canterbury Circle

Ms. Macdonald said the Board wanted to discuss the Building Inspector's approval of the building permit with regard to 167 Canterbury Circle. She said there was an e-mail from Attorney Martin requesting that they wait until the 29th to make that decision. Ms. Macdonald said that they are still within that appeal period.

Mr. Kingston said since the 30 days is pretty firm that even at their next meeting they can't rely on assurances or promises. He said that it has to be something concrete that they purchased the property or they have done something. Ms. Macdonald said that she thinks the key point is actually to file the request for the appeal. She said that they have 65 days to schedule a public hearing so that gives them time to withdraw it if the developer ends up with a solution that is satisfactory to the Board. Mr. Carabetta said that 2 weeks is not going to hurt them either way.

Mr. Richards said he understands what Mr. Kingston is saying that the other party needs to understand that there is only 2 or 3 days left to stay within the 30 days and whatever decision they make then is going to be their decision and they are going to have to live with that 2 or 3 days after that if they want to address it. Ms. Macdonald said that they will have to make a decision on the 29th. Mr. Page asked if they discuss it that evening and then actually vote on it that night if there is no change. Mr. Richards said that it sounds like he wants to be present for the discussion. Ms. Macdonald said that they are hopeful they will have a solution.

ANR Check list

Ms. Macdonald said that she has provided the Board with an ANR checklist and she said has made copies of the requirements from the town's rules & regulations for an ANR plan. She said that she made enough copies to provide to anyone who picks up an ANR application so they know actually what the Board is looking for. Ms. Macdonald said that she basically needs to know how they feel about it. Mr. Carabetta asked when the application goes out does the checklist go with it. Ms. Macdonald said that she just prepared everything to go with it and she will put it on line also so it is attached to the application on line.

Towing

Ms. Macdonald informed the Board that she provided them with the response from Nick Breault and Doug Mellis with regard to the towing people on how they stood with the decisions of the Planning Board. She said that it was basically just a informational letter but she wanted to make sure they saw exactly what it was that she said. Ms. Macdonald said that Andrew Bordoni picked up an application for a Special Permit with the understanding that Tony Bordoni has to do the amendment. She said that the Board already provided Andrew Bordoni as the letter states with a waiver to park his truck and he now wants to have a home office at Pioneer Circle where now lives. She said that he is fully aware that he has to do a discontinuance of the other business certificate and a new Request for Waiver of Site Plan for the home office on Pioneer

Circle. She said that he understands that his towing vehicle is far too large to keep at Pioneer Circle however he's looking to have that stay at 347 Elm Street and said that will be an issue too.

Mr. Kingston asked Ms. Macdonald if Mr. Bordoni is operating at Elm Street because it is a pre-existing use. Ms. Macdonald said correct in 1946 it was Tommy's Auto Body and they increased the building in 1981, they received a Special Permit to continue the non-conforming use, not for towing but for auto body purposes. Mr. Kingston said that towing & storage would be a new use not pre-existing. Ms. Macdonald said that she checked the Special Permits that day and also in 1986 there was an additional increase to the building itself. She said somewhere in there was a fire and she is not sure as to the year and said that she put a call into Paul Morrissette at the fire department so if and when it comes up to the Board she can have everything in order. Ms. Macdonald said however the cars that were towed there were only supposed to be cars that Mr. Bordoni was working on for his auto body business. She said the lot itself is not an accepted lot with regard to a storage facility for lighting and fencing and said that it is fenced in but the lighting isn't there and they are in the middle of a residential district. Mr. Kingston said they need to consider if that is a new use.

Miscellaneous

Mr. Page said when a definitive plan is brought to the Planning Board he was under the assumption that all the different pages of the plans were being recorded at the Registry of Deeds. He said he now found out that one or two pages only get recorded and from what he understands it is pages that don't include the building envelope. Mr. Page said that he has done some research and multiple towns around require that all the pages of a definitive plan are recorded. He said that he would like the Board to start thinking about requiring the entire plan being recorded. Mr. Page said that he thinks it is a simple change under the Rules & Regulations, he thinks it just a matter to adding a heading to each. Mr. Richards asked why they don't do it. Ms. Macdonald said that she knows they did when she first started working for the town and then they changed when the recording fee went \$25.00 per sheet to \$75.00 per sheet. Mr. Carabetta said he thinks it is a good idea. Mr. Kingston said that he agrees that it should be that way. Mr. Page asked if it is an actual change under the subdivisions Rules & Regulations. Ms. Macdonald said that she would have to check and see where it says about the recording it may just say plans. She said when they sign the plans there is a box on the plans specifically for the Registry and they need to make sure they are on them and if they are not they will have to come back with that on them.

Marilyn Richards asked the Board if they want the Zoning Review committee to look into the issue of whether parking is considered an accessory use to a use of a scientific research. Mr. Richards said that there is Zoning Review Committee meeting on Thursday, July 17th and he thinks it would be a great idea for the Committee to tackle it. Ms. Richards asked whether it was scientific lab or not and she asked if there is a definition or guidelines and was hoping to discuss the issue at the Zoning Review Committee meeting.

Minutes

The Board reviewed the executive minutes of March 25, 2014 and upon motion duly made by Ralph Page and seconded by George Kingston, the Board voted (4-0) to approve the minutes.

The Board reviewed the minutes of May 6, 2014 and upon motion duly made by George Kingston and seconded by Ralph Page, the Board voted (4-0) to approve the minutes with edits.

With no further business and upon motion duly made by George Kingston and seconded by Ralph Page, the Board voted (4-0) to adjourn at 7:30 p.m.

For the Board

Tyde Richards, Clerk